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PATENT

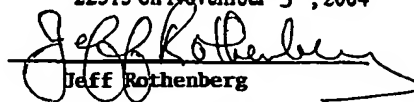
Our Docket: Amir/001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Amir and Amir ) Group Art Unit: 1654  
Serial No.: 10/066,753 )  
Filed: February 6, 2002 )  
For: COSMETIC REPAIR USING )  
CARTILAGE PRODUCING CELLS )  
AND MEDICAL IMPLANTS )  
COATED THEREWITH )

Examiner: S. Coe

I hereby certify that this correspondence  
is being deposited with the United States  
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envelope addressed to: Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA,  
22313 on November 3, 2004

  
Jeff Rothenberg

November 3, 2004  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

DECLARATION UNDER 37 U.S.C. SECTION 1.131

Sir:

I, Abraham Amir, declare as follows:

1) I am an inventor named in the above-identified  
patent application.

2) I am also a medical doctor, specializing in plastic  
and cosmetic surgery.

3) I understand that in the latest Office Action,  
claims 1 and 3 to 8 are rejected as allegedly obvious based,  
in part, on Brittberg et al., New Eng. J. of Med., 331:889-  
895 (1994). Brittberg teaches using transplanting isolated  
chondrocytes to treat deep cartilage defects in the knee.  
The Office Action takes the position that it would have